

**U.S. BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN**

Honorable Rachel M. Blise

October 27, 2022

Court Proceeding Memo and Order

1-22-11558-rmb **Jennifer McKinney and Israel R. McKinney** Chapter 13
Trustee: Mark Harrington

Appearances: Greg P. Pittman, Attorney for Debtors
Theresa M. Anzivino, Attorney for IRS
Nathan Baney, Attorney for IRS
Leslie Broadhead Griffith, Attorney for Trustee

Matter: Preliminary hearing on Motion by Debtors to Continue/Extend Automatic Stay (Doc # 24)
-Obj IRS (Doc # 33)

Court Minutes: Counsel for the IRS argued that the stay should not be extended because the debtors had not filed the case in good faith and, alternatively, should the court grant the motion to continue the stay, any such relief should be without prejudice to the IRS obtaining relief from the stay. The court granted the debtors' motion and continued the stay under 11 U.S.C. § 362(c)(3)(B) as to all creditors, without prejudice to the rights of any creditor to seek relief from the stay. Counsel for the debtors will submit a separate order continuing the stay.

OUTCOME:

☒ Granted ☐ Denied ☐ Approved ☐ Allowed ☐ Disallowed
☐ In Part ☐ Sustained ☐ Overruled ☐ Settled ☐ Withdrawn
☐ Other:

☐ Debtor shall do the following by: _____ or the case will be dismissed
☐ amend plan ☐ provide info to TR ☐ bring current ☐ other:

☐ Plan confirmed: ☐ Ch. 13 TR ☐ Ch. 12 Atty. ☐ Ch. 11 Atty to submit proposed order

SCHEDULE:

☐ Adjourned to: _____ at _____
☐ Location: _____ Telephone _____ Madison _____ Eau Claire _____ Other: _____
☐ Final/Evidentiary Hearing. Parties agree that _____ [hours/days] will be sufficient to hear the matter.
☐ Issue standard pre-hearing order _____ [Yes/No] ☐ Other: _____

☐ Briefing Schedule Set:
☐ Taken under advisement ☐ Other:

☐ Other Schedule:

☒ **ORDER:**
☒ For the reasons stated from the bench
☐ Separate order to be entered by the Court
☒ Order to be submitted by: Counsel for the Debtors
☐ Order to be signed at docket no. _____

IT IS SO ORDERED:

Rachel Blise

Rachel M. Blise
U.S. Bankruptcy Judge

☒ ECF
☐ cc: parties in interest
☐ cc: parties appearing